

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:22-cr-00707
)	
Plaintiff,)	JUDGE DAVID A. RUIZ
)	
vs.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
NATHANIEL F. CLARK,)	REFERRAL TO U.S. PROBATION
)	OFFICE
Defendant.)	
)	

This case is before the Court on a Report and Recommendation (R&R) filed by United States Magistrate Judge Amanda M. Knapp regarding the change of plea hearing of Defendant Nathaniel F. Clark which was referred to the Magistrate Judge with the consent of the parties.

On December 15, 2022, the Government filed a seven count Indictment, charging Defendant Nathaniel F. Clark in Count 1 with Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. § 846, in Count 2 with Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), in Count 3 with Possession with Intent to Distribute Fentanyl, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), in Count 5 with Possession with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and in Count 6 with Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A). Defendant Nathaniel F. Clark was arraigned on December 22, 2022, during which Mr. Clark entered a plea of not guilty to the charges.

On July 26, 2023 Magistrate Judge Knapp received Defendant's plea of guilty to count 2, 3, 5 and 6 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered. Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Nathaniel F. Clark is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Nathaniel F. Clark is adjudged guilty of Count 2, 3, 5 and 6 of the Indictment, Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), Possession with Intent to Distribute Fentanyl, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), Possession with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A). This matter was referred to U.S. Pretrial Services and Probation Office for the completion of a pre-sentence investigation and report. Sentencing will take place on November 16, 2023, at 12:00 p.m. in Courtroom 17B, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED

s/David A. Ruiz 11/14/2023
DAVID A. RUIZ
UNITED STATES DISTRICT JUDGE